

109TH CONGRESS
1ST SESSION

S. 1316

AN ACT

To authorize the Small Business Administration to provide emergency relief to shellfish growers affected by toxic red tide losses.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Red Tide Emergency
5 Relief Act of 2005”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) shellfish growers, known as
4 “aquaculturists”, from the Schoodic Peninsula in
5 Maine to Buzzards Bay in Massachusetts have suf-
6 fered substantial economic injury due to the worst
7 occurrence of toxic algae bloom, known as “Red
8 Tide”, along the New England Coast since 1972;

9 (2) toxins produced by the Red Tide algae con-
10 taminate shellfish like clams and mussels, making
11 them unsafe for people and animals to eat, forcing
12 the extended closure of shellfish beds along contami-
13 nated areas.

14 (3) hundreds of shellfish growers have been af-
15 fected by the Red Tide, and losses industrywide are
16 estimated at \$3 million a week; and

17 (4) shellfish growers are currently considered to
18 be agricultural enterprises, and are therefore ineli-
19 gible for economic injury disaster loans available to
20 other small business concerns through the Small
21 Business Administration;

22 (5) shellfish growers are only eligible for emer-
23 gency loans through the Farm Service Agency of the
24 Department of Agriculture under limited cir-
25 cumstances;

1 (6) the Small Business Act should be amended
 2 to make shellfish growers eligible for emergency
 3 small business assistance, as a complement to assist-
 4 ance otherwise offered through Federal programs.

5 **SEC. 3. AUTHORITY TO PROVIDE DISASTER ASSISTANCE TO**
 6 **AQUACULTURE ENTERPRISES.**

7 Section 18(b)(1) of the Small Business Act (15
 8 U.S.C. 647(b)(1)) is amended—
 9 (1) by striking “aquaculture,”; and
 10 (2) by inserting before the semicolon at the end
 11 “, other than aquaculture”.

Passed the Senate June 27, 2005.

Attest:

Secretary.

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